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contd

ethylene copolymer or grafted ethylene copolymer having a weight between 1 and 5 g/m² adjacent to layer (a), and (c) a layer of nylon comprising between 5 and 100 weight % of amorphous nylon and 0 and 95 weight % semicrystalline polyamide 6 having a weight between 10 and 30 g/m² adjacent to layer (b). This packaging material is particularly useful for packaging dairy products, such as cheese, butter and margarine."

In the Claims

Please amend Claim 1 to read as follows:

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1. (amended) A flexible or semi-flexible packaging material with an oxygen barrier between 10 and 100 cc/m²d atm as determined by ASTM D3985-95 and a water vapor barrier between 100 and 1000 g/m²d at 38°C and 90% relative humidity, as determined according to DIN 53122 issued in July 1982, comprising

- (a) a layer of paper having a weight between 20 and 400 g/m²
- (b) a layer of ethylene copolymer or grafted ethylene copolymer having a weight between 1 and 5 g/m² adjacent to layer (a), and

a layer of nylon comprising between 5 and 100 weight % of amorphous nylon and 0 and 95 weight % semicrystalline polyamide 6 having a weight between 10 and 30 g/m² adjacent to layer (b).

REMARKS

About the Amendment

The amendment to Claim 1 was made at the request of the Examiner. The claim now includes a reference to the ASTM procedure used in the determination of the oxygen permeability. This is a not an amendment which narrows the scope of the claim, nor is the amendment one that is required for patentability in the Applicant's view. The Applicant respectfully contends that the claim, before amendment, fully complied with the requirements of the statute. However the amendment is not seen as one which restricts or limits the Applicant's rights in any way and so the Examiner's request was accommodated to facilitate reaching agreement on the claims.